REMARKS/ARGUMENTS

Claims 12-20, 22 and 23 are pending in this application. Claim 22 is hereby canceled without prejudice or disclaimer. Claims 12, 15-20 and 23 are rejected. Claims 13 and 14 are objected to. Claim 23 is amended. In view of the Amendments and Remarks made herein, Applicants respectfully request reconsideration of claims 12-20 and 23.

Rejections under 35 U.S.C. § 112

Claims 12 and 15-20 are rejected under 35 U.S.C. § 112, first paragraph, as not providing enablement for the claimed method comprising all enhancing compounds of the instant claims. Applicants respectfully disagree with this rejection. Applicants have provided guidance in their specification for selecting agents that enhance the activity of the nuclear receptor ligands. Specifically, Applicants set forth several classes of compounds that may be used as enhancers, inlcuding ion effectors, compounds capable of generation of reactive oxygen intermediates, and elicitors of the phytoalexin glyceollin. (Specification, page 1, first full paragraph). A specific example of each class is also given to provide guidance. While the Examiner has stated that the enhancing compounds in claim 12 b) may have different sizes and polarities, the Examiner has not shown that one reasonably skilled in the art could not use the claimed method from the disclosure in the specification coupled with information known in the art without undue experimentation. (See MPEP § 2164.01). Moreover, the Examiner has not explained why one who is reasonably skilled in the art, familiar with the several classes of enhancers provided in the specification, would have to engage in undue experimentation to identify compounds, other than copper salt, orthovanadate, rose Bengal, or a tetrazolium redox dye. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

Rejections Under 35 U.S.C. § 102

Claim 23 is rejected under 35 U.S.C. § 102(b) as anticipated by Ellis *et al.* (Phototropism of Pellia: evidence for mediation by autin-stimulated acid efflux, J. Plant Physiology, 1985, 121(3), 259-64). Ellis teaches a composition comprising sodium orthovanadate and 2-(chlorophenoxy)-2-methylpropionic acid. Claim 23, as amended, does not recite orthovanadate. Accordingly, claim 23 is not anticipated by Ellis.

Rejections Under 35 U.S.C. § 103

Claim 23 is rejected under 35 U.S.C. § 103(a) as unpatentable over Passilly *et al.* (Phosphorylation of perxisome proliferators-activated receptor alpha in rat fao cells and stimulation by ciprofibrate, Biochemical Pharmaceutical Pharmacology, 1999, 58 no. 6, 1001-1008). Specifically, Passilly teaches treating cells with ciprofibrate and treating cells with orthovanadate. Claim 23, as amended, does not recite orthovanadate. Applicants respectfully submit that claim 23 is patentable over Passilly.

In view of the Amendments Remarks made herein, Applicants respectfully request reconsideration of claims 12-20 and 23. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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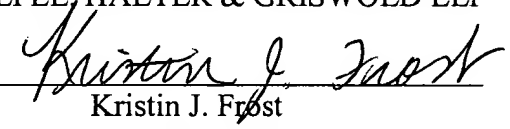
By 

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